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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/242,357	04/19/2000	FERDINAND JAN ANTON RAADSEN	96.941	9969

7590

05/06/2003

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EXAMINER

FUREMAN, JARED

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 05/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/242,357

Applicant(s)

RAADSEN, FERDINAND JAN  
ANTON

Examiner

Jared J. Fureman

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 April 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Receipt is acknowledged of the notice of appeal filed on 2/21/2003, the request for CPA and amendment filed on 4/21/2003, which have been entered in the file.

Claims 1 and 2 are pending.

#### ***Continued Prosecution Application***

1. The request filed on 4/21/2003 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/242,357 is acceptable and a CPA has been established. An action on the CPA follows.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claim 1 is rejected under 35 U.S.C. 102(a) as being anticipated by Yura et al (JP 7-271871 A, previously cited with translation of abstract only, a translation of the detailed description and claims is presently cited).

Yura et al teaches a transaction card (103) representing a certain monetary purchasing value (balance data) which can be exchanged for an optional product or service comprising a card body (as seen in figure 1) with an integrated circuit (the integrated circuit is represented by the contacts shown on the card in figure 1) having a memory which can be read out electronically and programmed, at least temporarily storing the monetary value in the memory (the balance data is stored in the memory of

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the card), in a way compatible with an existing electronic payment system (an existing card payment system, for example) wherein the product or service comprises a reservation for an event (performance), in that an amount due for the event (an admission fee) is deductible electronically from the monetary value by means of the integrated circuit (the terminal 202 deducts the admission fee from the balance data and writes new balance data to the card 103) and in that reservation information is loadable in the memory (reservation data is written to the card 103), wherein the card is entirely autonomous with respect to any interaction with an existing bank or credit account (when the prepaid method is used, the fee is deducted from the card balance, and there is no interaction with an existing bank or credit account) (see figures 1-4 and paragraphs 6-8, 18-20, 27, 31-40, 42-45 of the detailed description).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yura et al in view of Claus (US 5,461,217).

The teachings of Yura et al have been discussed above. Yura et al also teaches the integrated circuit comprising means (the contacts shown on the card in figure 1) in order to co-operate by a medium of adequate peripheral equipment (individual terminal 202) (see figures 1, 2, and paragraphs 31, 32, and 34).

Yura et al fails to teach a second card-shaped body with an electronic memory in which a certain monetary value is loaded in order to debit the value concerned.

Claus teaches a system including a transaction card (consumer smart card 107) having an integrated circuit representing a certain monetary purchasing value which can be exchanged for an optional product or service, the integrated circuit comprising means in order to co-operate by a medium of adequate peripheral equipment (smart card reader network 106) with a second card-shaped body (merchant smart card 105) with an electronic memory in which a certain monetary value is loaded in order to debit the value concerned (see figure 1, column 2 lines 34-57, column 4 line 24 - column 5 line 7).

In view of Claus' teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the transaction card as taught by Yura et al, a second card-shaped body with an electronic memory in which a certain monetary value is loaded in order to debit the value concerned, in order to provide secure electronic transactions between consumers and merchants, and in order to allow merchants to take advantage of the benefits of using transaction cards.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1 and 2 have been considered but are moot in view of the new ground(s) of rejection.

As discussed above, Yura et al teaches an autonomous transaction card (in the prepaid method), wherein an amount for an event is debited from the card and reservation information is written in the card.

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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (703) 305-0424. The examiner can normally be reached on 7:00 am - 4:30 PM M-T, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

*Jared J. Fureman*  
Jared J. Fureman  
May 2, 2003